

**REMARKS**

**Summary of the Response to the Office Action**

Applicant has amended claim 11 to more particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 17 is cancelled without prejudice or disclaimer. Accordingly, claims 11-16 are pending for consideration.

**All Claims Comply with 35 U.S.C. §§ 102(e) and 103(a)**

Claims 11-12 and 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Li et al. (US 6,133,975), and claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. Applicant respectfully traverses these rejections as being based upon a reference that neither teaches nor suggests the novel combination of features recited in amended independent claim 11, and hence dependent claims 12-16. For example, independent claim 11, as amended, now recites, amongst other features, that “a liquid crystal layer between the first and second substrates, wherein the liquid crystal layer has a photopolymerized monomer aligned perpendicular to the first and second substrates such that the liquid crystal layer has a homeotropic structure without a reset voltage being applied.”

In contrast, Li et al. teaches at column 3, lines 37-39 of Li et al. that the liquid crystal material of Li et al. is aligned to have mid-plane tilt. Thus, Li et al. does not teach or suggest a “liquid crystal layer has a photopolymerized monomer aligned perpendicular to the first and second substrates such that the liquid crystal layer has a homeotropic structure without a reset voltage being applied,” as recited in claim 11. Accordingly, Applicant respectfully submits that Li et al. fails to teach or suggest each and every feature recited by independent claim 11.

Moreover, dependent claims 12-16 are allowable over the applied reference of Li et al. for at least the same reasons as discussed above with regard to independent claim 11, and for the additional features that they recite.

For the above reasons, Applicant respectfully asserts that the rejections under 35 U.S.C. 102(e) and 103(a) should be withdrawn because Li et al. neither teaches nor suggests all of the features recited in amended independent claim 11, and hence dependent claims 12-16.

**CONCLUSION**

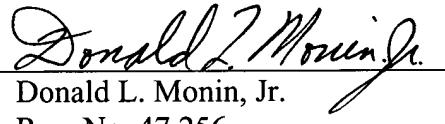
In view of the foregoing, Applicant respectfully requests reconsideration and timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:

  
Donald L. Monin, Jr.  
Reg. No. 47,256

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**Customer Number: 009629**  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
202-739-3000